

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

IN RE:

Bobbi Jo Mason

S.S.# xxx-xx-2532

CASE NO.
CHAPTER 13
JUDGE DANIEL S. OPPERMAN

PLAN SUMMARY

For informational purposes only.

ACP: 60 Months
Minimum Plan Length: 36 Months
Plan payment: \$ 140.00 per Month
Minimum dividend to Class 9 Creditors \$ 0.00
Percentage of Tax Refunds committed 100%

Debtor(s)

CHAPTER 13 PLAN

☒ Original

OR

☐ Pre-Confirmation Modification #

☐ Post-Confirmation Modification #

NOTICE TO CREDITORS:

**YOUR RIGHTS MAY BE AFFECTED. THIS PLAN MAY BE CONFIRMED AND BECOME BINDING WITHOUT FURTHER NOTICE OR HEARING UNLESS A TIMELY WRITTEN OBJECTION IS FILED.
READ THIS DOCUMENT CAREFULLY AND SEEK THE ADVICE OF AN ATTORNEY.**

I. STANDARD MODEL PLAN; INCORPORATION OF ADDITIONAL TERMS, CONDITIONS AND PROVISIONS; ALTERATIONS NOTED:

- A. **THIS PLAN IS SUBJECT TO AND INCORPORATES BY REFERENCE THE ADDITIONAL TERMS, CONDITIONS AND PROVISIONS WHICH MAY BE FOUND AT WWW.13EDM.COM or WWW.MIEB.USCOURTS.GOV.**

INTERESTED PARTIES MAY ALSO OBTAIN A WRITTEN COPY OF THE ADDITIONAL TERMS, CONDITIONS AND PROVISIONS APPLICABLE TO CHAPTER 13 PLANS FROM DEBTOR'S COUNSEL UPON WRITTEN REQUEST.

- B. This Plan conforms in all respects to the Standing Chapter 13 Trustees' Model Plan which is referenced in Administrative Order 12-05 issued by the U.S. Bankruptcy Court for the Eastern District of Michigan. Those sections of this Plan that vary from the Model Plan are listed in this paragraph (any alterations not stated in this section are void):

II. APPLICABLE COMMITMENT PERIOD; PLAN PAYMENTS; PLAN LENGTH; EFFECTIVE DATE AND ELIGIBILITY FOR DISCHARGE:

- A. Debtor's Applicable Commitment Period is 60 months. Debtor's Plan Length shall be 60 months from the date of entry of the Order Confirming Plan. *See Paragraph J of the Additional Terms, Conditions and Provisions for additional information regarding Completion of Plan.*
- B. Debtor's plan payment amount is \$140.00 per month.
- C. Future Tax Refunds. *See Paragraph A of the Additional Terms, Conditions and Provisions for additional information regarding Tax Refunds and Tax Returns.*

FOR CASES ASSIGNED TO BAY CITY DIVISION: Check only one box. If none are checked or more than one box is checked, paragraph 2 shall apply:

1. ☐ Debtor's Plan proposes a 100% dividend to unsecured creditors. Therefore, Debtor is not required to remit any future tax refunds.
2. ☐ Debtor's Plan proposes less than a 100% dividend to unsecured creditors and Debtor's Schedule I *does not* include a pro-ration for anticipated tax refunds. Debtor will remit 50% of all Federal and State Tax Refunds that Debtor receives or is entitled to receive after commencement of the case.
3. ☒ Debtor's Plan proposes less than a 100% dividend to unsecured creditors and Debtor's Schedule I *includes* a proration for anticipated Federal Tax Refunds. Debtor will remit 100% of all Federal and State Tax Refunds that Debtor receives or is entitled to receive after commencement of the case to the extent the refund exceeds the sum of twelve times the amount of the Federal and State Tax Refund pro-ration shown in Schedule I.

- D. NA
E. NA

III. DESIGNATION AND TREATMENT OF CLASSES OF CLAIMS: See Paragraph F of the Additional Terms, Conditions and Provisions for additional information regarding the order in which claims are to be paid.

A. **Class One – TRUSTEE FEES** as determined by statute.

B. **Class Two – ADMINISTRATIVE CLAIMS, INCLUDING ATTORNEYS FEES AND COSTS:**

1. **PRE-CONFIRMATION ATTORNEY FEES:** At confirmation of the Plan, Counsel shall elect to either:
 - a. In lieu of filing a separate fee application pursuant to 11 USC §327 and §330, accept the sum of \$ 2,500.00 for services rendered plus \$ 0.00 for costs advanced by Counsel, for total Attorney Fees and Costs of \$ 0.00 through the Effective Date of the Plan. The total Attorney Fees and Costs less the sum of paid to Counsel prior to the commencement of this case as reflected in the Rule 2016(b) Statement leaving a net balance due of \$ 2,500.00, will be paid as an Administrative Expense Claim; **or**
 - b. Request an award of compensation for services rendered and recovery of costs advanced by filing a separate Application for Compensation for services rendered up through the date of entry of the Order Confirming Plan pursuant to 11 USC §327 and §330. If Counsel elects to file a fee application pursuant to this sub-paragraph, the Trustee shall escrow \$0.00 for this purpose. See Paragraph B of the Additional Terms, Conditions and Provisions for additional information.
2. **POST-CONFIRMATION ATTORNEY FEES:** See Paragraph D of the Additional Terms, Conditions and Provisions for additional information.
3. **RETENTION OF OTHER PROFESSIONALS FOR POST-PETITION SERVICES:** Debtor ☐ has retained or ☐ intends to retain the services of (name of person to be retained) as (capacity or purpose for retention) to perform professional services post-petition with fees and expenses of the professional to be paid as an Administrative Expense. See Paragraph C of the Additional Terms, Conditions and Provisions for additional information.
4. **OTHER ADMINISTRATIVE EXPENSE CLAIMS:** Any administrative expense claims approved by Order of Court pursuant to 11 USC §503 shall be paid as a Class Two administrative claim. See Paragraph E of the Additional Terms, Conditions and Provisions for additional information.

C. **CLASS THREE – SECURED CLAIMS TO BE STRIPPED FROM THE COLLATERAL AND TREATED AS UNSECURED CLAIMS TO BE PAID BY TRUSTEE. NA**

D. **CLASS FOUR - SECURED CLAIMS ON WHICH THE LAST CONTRACTUAL PAYMENT IS DUE BEYOND THE LENGTH OF THE PLAN. 11 USC §1322(b)(5).**

1. **Continuing Payments that come due on and after the date of the Order for Relief** (See Paragraph P, Paragraph L and Paragraph EE of the Additional Terms, Conditions and Provisions for additional information):

Creditor	Collateral	Monthly Payment	Direct, Via Trustee or Surrendered
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<u>Creditor</u>	<u>Collateral</u>	<u>Monthly Payment</u>	<u>Direct, Via Trustee or Surrendered</u>
Seretus	Residence	\$550.00	Direct

2. Pre-Petition Arrearages to be paid by Trustee: Those amounts which were due as of the filing of the Order for Relief:

<u>Creditor</u>	<u>Collateral</u>	<u>Arrears Amount</u>	<u>Estimated Average Monthly Payment</u>	<u>Months to Cure From Confirmation Date</u>
-NONE-				

E. CLASS FIVE - SECURED CLAIMS ON WHICH THE LAST PAYMENT WILL BECOME DUE WITHIN THE PLAN DURATION. 11 USC §1322(c)(2). (See Paragraph H, Paragraph L and Paragraph O of the Additional Terms, Conditions and Provisions for additional information):

1. Creditors to be paid Equal Monthly Payments, 11 USC §1325(a)(5)(B):

<u>Creditor/Collateral</u>	<u>Indicate if modified or surrendered</u>	<u>Market value of collateral</u>	<u>Interest Rate (Present Value Rate)</u>	<u>Total to be paid Including Interest</u>	<u>Monthly Payment</u>	<u>Direct or Via Trustee</u>
Credit Acceptance/2004 Chrysler Pacifica	Modified	910 Auto	5.00%	5,170.80	86.18	Trustee

2. Creditors not to be paid Equal Monthly Payments, 11 USC §1325(a)(5)(A): NA

F. CLASS SIX – EXECUTORY CONTRACTS AND/OR UNEXPIRED LEASES. 11 USC §§365, 1322(b)(7): – Debtor assumes the executory contracts and unexpired leases listed in subparagraph 1. (See Paragraph K of the Additional Terms, Conditions and Provisions for additional information): NA

G. CLASS SEVEN – PRIORITY UNSECURED CLAIMS. 11 USC §§507, 1322(a)(2). NA

H. CLASS EIGHT – SEPARATELY CLASSIFIED UNSECURED CLAIMS. 11 USC §1322(b)(1): (To be paid by Trustee): (See Paragraph M of the Additional Terms, Conditions and Provisions for additional information):NA

I. CLASS NINE - GENERAL UNSECURED CLAIMS (to be paid by Trustee): – See Paragraph N of the Additional Terms, Conditions and Provisions for additional information. The plan shall pay the Unsecured Base Amount.

IV. OTHER PROVISIONS:

- A. ☐ if the box to the immediate left is "checked", creditors holding claims in Class Seven, Eight and Nine shall receive interest on their allowed claims at the rate of **0.00%** per annum as required by 11 USC §1325(a)(4).
- B. *Insert as necessary.*

/s/ Michael J. Shovan

Michael J Shovan P43362

Attorney for Debtor

4015 State Street

Saginaw, MI 48603

Street Address

Saginaw, MI 48603-0000

City, State and Zip Code

mikeshovan@gmail.com

E-Mail Address

(989) 233-9389

Phone Number

/s/ Bobbi Jo Mason

Bobbi Jo Mason

Debtor

Joint Debtor

12/20/2016

Date

ATTACHMENT 1

LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY	EXEMPT AMOUNT	NON-EXEMPT AMOUNT
PERSONAL RESIDENCE	0.00	0.00	0.00	0.00	0.00
REAL ESTATE OTHER THAN PERSONAL RESIDENCE	0.00	0.00	0.00	0.00	0.00
HHG/PERSONAL EFFECTS	0.00	0.00	0.00	0.00	0.00
JEWELRY	0.00	0.00	0.00	0.00	0.00
CASH/BANK ACCOUNTS	0.00	0.00	0.00	0.00	0.00
VEHICLES	1,600.00	4,567.00	0.00	0.00	0.00
OTHER (itemize)	0.00	0.00	0.00	ALL EXEMPT	0.00

Amount available upon liquidation	\$	0.00
Less administrative expenses and costs	\$	0.00
Less priority claims	\$	0.00
Amount Available in Chapter 7	\$	0.00

ATTACHMENT 2

CHAPTER 13 MODEL WORKSHEET
LOCAL BANKRUPTCY RULE 3015-1(B)(2 E.D.M.)

1.	Length of Plan is	<u>60</u>	months	
2.	Initial Plan Payment:			\$140.00 per month x 2 months = \$280.00
3.	Additional Payments:	<u>\$140.00</u>	per month x 60 =	<u>8,400.00</u>
4.	Lump Sums:			<u>\$0.00</u>
5.	Total to be paid into Plan (total of lines 2 through 4)			<u>\$8,680.00</u>
6.	Estimated Disbursements other than to Class 9 General Unsecured Creditors			
	a. Estimated trustee's fees		<u>\$469.00</u>	
	b. Estimated Attorney Fees and costs through confirmation of plan		<u>\$2,500.00</u>	
	c. Estimated Attorney Fees and costs Post-confirmation through duration of Plan		<u>\$0.00</u>	
	d. Estimated Fees of Other Professionals		<u>\$0.00</u>	
	e. Total mortgage and other continuing secured debt payments		<u>\$0.00</u>	
	f. Total non-continuing secured debt payments (including interest)		<u>\$5,171.00</u>	= 60 x 86.18
	g. Total priority claims		<u>\$0.00</u>	
	h. Total arrearage claims		<u>\$0.00</u>	
7.	Total Disbursements other than to Class 9 General Unsecured Creditors (Total of lines 6.a through 6.h)			\$ <u>8,140.00</u>
8.	Funds <i>estimated</i> to be available for Class 9 General Unsecured Creditors (item 5 minus item 7)			\$ <u>540.00</u>
9.	Estimated dividend to Class 9 General Unsecured Creditors in Chapter 7 proceeding (see liquidation analysis on page 6)			\$ <u>0.00</u>

COMMENTS:

United States Bankruptcy Court
Eastern District of Michigan

In re **Bobbi Jo Mason**

Debtor*

Case No. _____

Address **923 N. Oakley**
Saginaw, MI 48602Chapter **13**

Last four digits of Social-Security or Individual Taxpayer-

Identification (ITIN) No(s), (if any): **xxx-xx-2532**

Employer Tax Identification (EIN) No(s), (if any): _____

ORDER CONFIRMING CHAPTER 13 PLAN

The debtor's plan was filed on _____ (date), and was modified on _____ (date). The plan or a summary of the plan was transmitted to creditors pursuant to Bankruptcy Rule 3015. The court finds that the plan meets the requirements of 11 U.S.C. § 1325.

IT IS ORDERED THAT:

The debtor's chapter 13 plan is confirmed, with the following provisions:

1. Payments:

Amount of each payment: \$ _____

Due date of each payment: the

☐

_____ day of each month, or

☐

Period of payments:

☐

_____ months,

☐

until a _____% dividend is paid to creditors holding allowed unsecured claims, or

☐

Payable to:

_____ Standing Trustee

2. Attorney's Fees:

The debtor's attorney is awarded a fee in the amount of \$ _____, of which \$ _____ is due and payable from the estate.

3. [Other provisions as needed] _____

Date

Bankruptcy Judge

**Set forth all names, including trade names, used by the debtor(s) within the last 8 years. For joint debtors, set forth the last four digits of both social-security numbers or individual taxpayer-identification numbers.*

**United States Bankruptcy Court
Eastern District of Michigan**

In re **Bobbi Jo Mason**

Debtor(s)

Case No.
Chapter

13

CERTIFICATE OF SERVICE

I hereby certify that on **12/20/2016**, a copy of **DEBTOR'S ORIGINAL CHAPTER 13 PLAN & PROPOSED OCP** was served electronically or by regular United States mail to all interested parties, the Trustee and all creditors listed on the matrix including the debtor at her address of record.

/s/ Michael J Shovan

Michael J Shovan P43362

Michael J. Shovan PC

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Saginaw, MI 48603

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